



Atty. Dkt. No. 053466-0365

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiroaki ITO et al.
Title: A PREVENTIVE OR THERAPEUTIC AGENT FOR
INFLAMMATORY BOWEL DISEASE COMPRISING IL-6
ANTAGONIST AS AN ACTIVE INGREDIENT
Appl. No.: 10/677,227
Filing Date: 10/3/2003
Examiner: Prema Maria MERTZ
Art Unit: 1646
Conf. No.: 8597

STATEMENT REGARDING IDS TIMING STATEMENT
and
REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant wishes to correct the record. The Information Disclosure Statement filed on June 4, 2010, in the above-identified application inadvertently included the following statement of recent discovery on page 2:

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The undersigned has since learned that the Chilean Office Action mentioned on page 2 of the IDS was issued on December 23, 2009. Therefore, the above statement is withdrawn from the IDS filed on June 4, 2010. This error was inadvertent and made without deceptive intent.

Moreover, the error does not affect the IDS because the IDS was filed after a Request for Continued Examination and before receipt of an Office Action, Notice of Allowance, or any action closing prosecution. Accordingly, the statement, and the fee, were not required. Because the \$180.00 fee paid with IDS was not required, a refund of the \$180.00 is requested to be deposited to Deposit Account 19-0741.

Respectfully submitted,

Date SEP 10 2010

By 

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